



California Fair Political Practices Commission

January 29, 1987

Arlo Hale Smith
BART Director, District 8
66 San Fernando Way
San Francisco, CA 94127

Re: Your Request for Advice
Our File No. A-86-345

Dear Mr. Smith:

This is in response to your request for advice concerning the campaign disclosure provisions of the Political Reform Act.^{1/}

FACTS

You were elected on November 4, 1986, as Director of the San Francisco Bay Area Rapid Transit District (BART). BART is a three-county special district established pursuant to Public Utilities Code Section 28500, et seq. The constituent counties are San Francisco, Alameda and Contra Costa. The district from which you were elected lies entirely within the City and County of San Francisco.

QUESTION

Where are you required to file your campaign disclosure statements?

CONCLUSION

You must file the original and one copy of your campaign disclosure statements with the clerk of the county with the largest number of registered voters in the jurisdiction, and two copies in your county of domicile. (Government Code Section 84215.)

^{1/}Government Code Section 81000-91015. All statutory references are to the Government Code unless otherwise noted.

Mr. Arlo Smith
January 29, 1987
Page Two

ANALYSIS

Government Code Section 84215 sets forth the places where campaign disclosure statements must be filed and states that all elected officers must file two copies of their campaign disclosure statements with the clerk of the county in which the elected officer is domiciled. In addition, subsection (c) of Section 84215 states:

Elected officers in jurisdictions other than legislative districts, Board of Equalization districts or appellate court districts which contain parts of two or more counties, candidates for these offices, their controlled committees and committees formed or existing primarily to support or oppose candidates or measures in one of these jurisdictions shall file the original and one copy with the clerk of the county with the largest number of registered voters in the jurisdiction.

Although the district to which you were elected is located wholly within the City and County of San Francisco, the jurisdiction of the agency itself contains parts of three counties. Therefore, you must file the original and one copy of your campaign disclosure statements with the Registrar of Voters of Alameda County, the county with the largest number of registered voters in the district, as well as two copies with the Registrar of Voters of the City and County of San Francisco, your county of domicile.

I hope the foregoing has been helpful. Enclosed for your information is the 1986 "Information Manual on Campaign Disclosure Provisions of the Political Reform Act," which contains the Act's campaign disclosure requirements, including when and where to file statements. The manual is currently being updated for use in 1987. Please contact your filing officer in late February to obtain a copy of the 1987 disclosure manual.

Sincerely,

Diane M. Griffiths
General Counsel

Carla Wardlow

By Carla Wardlow
Political Reform Consultant

DMG:CW:cah

Enclosure

ARLO HALE SMITH
ATTORNEY AT LAW
66 SAN FERNANDO WAY
SAN FRANCISCO, CA 94127
(415) 564-6091

Fair Political Practices Commission
428 J Street
Suite 800
Sacramento, CA 95814

DEC 26 8 27 AM '86

December 20, 1986

RE: Request for Advisory Opinion As To Campaign Report Filing Obligations As
A Director of The San Francisco Bay Area Rapid Transit District (BART)

Dear Sir or Madam:

I request advice as to the following matter:

I was elected on November 4, 1986 to serve as a Director of the San Francisco Bay Area Rapid Transit District (BART).

BART is a three-county special district established pursuant to Public Utilities Code Sections 28,500 et seq. The constituent counties are San Francisco, Alameda, and Contra Costa. Alameda is the most populous of these.

BART Directors are elected by district. My district lies entirely within the City and County of San Francisco. It appears that the past practice of Directors from my district has been to file campaign reports only with the San Francisco Registrar of Voters. Is this the correct course of action? Or am I required to file campaign reports with any other county clerk or registrar of voters?

Thank you in advance for your prompt response to this inquiry.

Sincerely,



Arlo Hale Smith
BART Director, District 8



California Fair Political Practices Commission

January 2, 1987

Arlo Hale Smith
Attorney at Law
66 San Fernando Way
San Fernando, CA 94127

Re: 86-345

Dear Mr. Smith:

Your letter requesting advice under the Political Reform Act was received on December 26, 1986 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact the Technical Assistance and Analysis Division at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days. You should also be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard km
Jeanne Pritchard
Chief, Technical Assistance
and Analysis Division

JP:km